Allroth. The Examiner alleges that it would be obvious to use the lubricant of Ozaki in the process of Hill and that it would be further obvious to use the high velocity compaction method of Allroth to obtain a final sintered product approaching 100% theoretical density.

The Examiner has not responded to the point made in the previous Amendment, i.e. that <u>Hill</u> does not describe or teach mixing (1) a metal powder (2) a lubricant and (3) at least one liquid phase former to form a mixture. Also, the Examiner has not responded to the point made in the previous Amendment that <u>Hill</u> teaches that if a lubricant is used in the mixture, it is removed before subjecting the compact to a heating step.

If the <u>Hill</u> process were modified as alleged by the Examiner to use the lubricant of <u>Ozaki</u>, this lubricant would be removed before subjecting the compact to a heating step. Accordingly, even if the <u>Hill</u> process were modified to use a high velocity compaction, the resulting process would not result in the claimed process that requires the lubricant to be present during sintering.

There is no teaching in any of <u>Hill</u>, <u>Ozaki</u> and <u>Allroth</u> of "sintering the compressed mixture at a sintering temperature sufficient to evaporate and drive off said lubricant and to effect a liquid phase sintering of said liquid phase former..." Simply stated, according to <u>Hill</u>, there would be no lubricant to be evaporated and driven off.

In view of the above, a rejection of claim 1 as being unpatentable over <u>Hill</u> in view of <u>Ozaki</u> and <u>Allroth</u> is not warranted pursuant to the provisions of 35 USC 103.

Claim 1 has also been rejected as being unpatentable over <u>Hill</u> in view of <u>Luk</u> in view of <u>Allroth</u>. The Examiner alleges that it would be obvious to modify the <u>Hill</u> process

with the lubricant of <u>Luk</u> and that it would be further obvious to use the high velocity compaction method of <u>Allroth</u>.

As noted above, <u>Hill</u> does not describe or teach mixing the <u>three</u> specified ingredients. Also, <u>Hill</u> teaches that if a lubricant is used, it is removed before subjecting the compact to a heating step. Thus, any modification of <u>Hill</u> with the lubricant of <u>Luk</u> would simply result in the removal of the Luk lubricant before heating.

Accordingly, for reasons as expressed above, a rejection of claim 1 as being unpatentable over <u>Luk</u> in view of <u>Hill</u> and <u>Allroth</u> is not warranted pursuant to the provisions of 35 USC 103.

Claims 2 to 10 depend from claim 1 and are believed to be allowable for similar reasons.

Claim 1 has also been rejected as being unpatentable over <u>Hill</u> in view of <u>Ozaki</u>. However, in view of the lack of any teaching in <u>Hill</u> of mixing three ingredients and the expressed teaching of removing the lubricant before subjecting the compact to a heating step, a rejection of claim 1 as being unpatentable over <u>Hill</u> in view of <u>Ozaki</u> is not warranted.

Claim 1 has also been rejected as being unpatentable over <u>Hill</u> in view of <u>Luk</u>. However, for reasons as expressed above, this rejection is not warranted pursuant to the provisions of 35 USC 103.

Note is made that <u>Luk</u> uses an <u>external</u> lubricant. This was noted in the previous Amendment but not acknowledged in the present Office Action.

Note is made that claim 11 has been withdrawn from prosecution pursuant to a restriction requirement. However, since claim 11 is a product by process claim and

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depends from claim 1, it is respectfully submitted that claim 11 is properly grouped with claims 1 to 10 and should be allowed in this application.

The application is believed to be in condition for allowance and such is respectfully requested.

Respectfully submitted,

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